

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,

Case No. 21-cr-196 (PJS/TNL)

Plaintiff,

v.

**ORDER**

Charles Randall Sorensen,

Defendant.

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This matter is before the Court on Defendant Charles Randall Sorensen's Motion to Continue Deadlines. (ECF No. 38.) Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under Speedy Trial Act. (ECF No. 39.)

On December 12, 2022, the parties appeared before the Court for a status conference. (ECF No. 37.) According to the parties, Defendant's experts finished processing data from the Internal Revenue Services and turned their results over to the Government. (ECF No. 39 at 1.) The parties are using the results to attempt to negotiate a potential agreement to resolve the case. (*Id.*) The parties agree that one final extension of the motions filing date would afford them sufficient time to complete their negotiations. (*Id.*) The parties request that the motions filing date be extended to January 5, 2023, and the motions hearing and trial-related dates be continued to a date thereafter. (*Id.*; ECF No. 38 at 1.)

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy

trial and such continuance is necessary to provide the parties reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Continue Deadlines (ECF No. 38) is **GRANTED**.
2. The period of time from **December 19, 2022, through February 7, 2023**, shall be excluded from Speedy Trial Act computations in this case.
3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **January 5, 2023**.<sup>1</sup> D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.<sup>2</sup>
4. **Counsel shall electronically file a letter on or before January 5, 2023, if no motions will be filed and there is no need for a hearing.**
5. All responses to motions shall be filed by **January 20, 2023**. D. Minn. LR 12.1(c)(2).
6. Any Notice of Intent to Call Witnesses<sup>3</sup> shall be filed by **January 20, 2023**. D. Minn. LR 12.1(c)(3)(A).
7. Any Responsive Notice of Intent to Call Witnesses<sup>4</sup> shall be filed by

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<sup>1</sup> "Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute." D. Minn. LR 12.1(b).

<sup>2</sup> U.S. Mail or hand-deliver to 300 South Fourth Street, Suite 9W, Minneapolis, MN 55415.

<sup>3</sup> "When a party intends to call witnesses at a hearing on a motion under Fed. R. Crim P. 12(b), the party must file a notice within 35 days after the arraignment. The notice must identify the number of witnesses whom the party intends to call, the motion or motions that each witness will be addressing, and the estimated duration of each witness's testimony." D. Minn. LR 12.1(c)(3)(A).

<sup>4</sup> "If after reviewing a notice under LR 12(c)(3), a party intends to call witnesses at the same hearing, that party must

**January 25, 2023.** D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **February 7, 2023**, at **2:30 p.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief District Judge Patrick J. Schiltz of the United States District Court for the District of Minnesota to confirm the new trial date.**

Dated: December 20, 2022

s/ Tony N. Leung  
TONY N. LEUNG  
United States Magistrate Judge  
District of Minnesota

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file a responsive notice within 38 days after the arraignment. The responsive party must identify the number of witnesses whom the party intends to call, the motion or motions each witness will be addressing, and the estimated duration of each witness's testimony." D. Minn. LR 12.1(c)(3)(B).